

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

**BROOKE WHORLEY, et al.,**

**Plaintiffs,**

v.

**Case No. 3:20-cv-255**

**RALPH S. NORTHAM, et al.,**

**Defendants.**

**STATUS REPORT**

COME NOW Defendants Ralph Northam, *et al.*, by counsel, and pursuant to the Stipulated Settlement Agreement between the parties (ECF No. 11-1), provides the following status report to the Court:

1. Pursuant to Part 3(a)(vii)(1) of the Settlement Agreement, Defendants report that VDOC substantively reviewed 62 inmates for possible release under the *Early Release Plan* during the week of October 10 through October 17, 2020. The total number of inmates VDOC has substantively reviewed, to date, is one-thousand seven-hundred thirty-nine (1,739).
2. Pursuant to Part 3(a)(vii)(2) of the Settlement Agreement, Defendants report that, of the 62 inmates reviewed during the week of October 10 through October 17, 2020, VDOC approved 54 of those inmates for Early Release. The total number of inmates approved, to date, is 1226.<sup>1</sup>

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<sup>1</sup> An additional 19 inmates were substantively reviewed, but physically released from custody (for other reasons) prior to a final approval decision having been made. VDOC does not include those 19 inmates in the reported number of inmates who were approved for release, but does include those 19 inmates in the number of inmates who were substantively reviewed.

3. Pursuant to Part 3(a)(viii)(3) of the Settlement Agreement, Defendants report that, of the 62 inmates reviewed during the week of October 10 through October 17, 2020, VDOC denied Early Release for 8 of those inmates. The total number of inmates denied, to date, is 494.

4. Pursuant to Part 3(e) of the Settlement Agreement, Defendants report that approximately 195 inmates were tested for COVID-19 during the week of October 10 through October 17, 2020. The total number of tests conducted on VDOC inmates, to date, is approximately 39,520.

Respectfully submitted,

RALPH S. NORTHAM, BRIAN J. MORAN,  
HAROLD CLARKE, DONALD WILMOUTH,  
RICK WHITE, THOMAS MEYER, TIKKI  
HICKS, RODNEY YOUNCE, TRACY RAY,  
ERIC ALDRIDGE, DANA RATLIFFE-WAKLER,  
TORI RAIFORD, TAMMY WILLIAMS, JOSEPH  
BATEMAN, and PHILIP WHITE, Defendants.

By: /s/  
Margaret Hoehl O'Shea, AAG, VSB #66611  
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**CERTIFICATE OF SERVICE**

I hereby certify that on this 20th day of October, 2020, I electronically filed the foregoing Status Report with the Clerk of the Court using the CM/ECF system which will provide notification of such filing to the following:

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*Counsel for the Plaintiffs*

And I hereby certify that I have mailed by United States Postal Service the documents to the following non-CM/ECF participants: N/A

By: \_\_\_\_\_ /s/  
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